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April 4, 2019

**VIA ECF AND HAND DELIVERY**

Hon. Richard M. Berman  
United States District Judge,  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

**Re: United States v. Owens, et al., 18 Cr. 693 (RMB)**

Dear Judge Berman:

We write on behalf of Defendant Harald Joachim von der Goltz regarding the conditions of his pretrial release. At Mr. von der Goltz's initial appearance on Friday, March 22, Judge Aaron accepted Mr. von der Goltz's proposed bail application, to which the government consented, which included a \$650,000 bond. *See* Dkt. No. 51. That figure derived from the £500,000 bond that the Central London Magistrate's Court set as a bail condition after Mr. von der Goltz was arrested in London in December 2018 pursuant to the indictment in this case. The government consented to Mr. von der Goltz satisfying any cash bond that the Court might require as a condition of Mr. von der Goltz's pretrial release in the United States with the funds used to satisfy the bond in the United Kingdom. Mr. von der Goltz, of course, is at the mercy of the U.K. courts' bureaucratic process for returning those funds. Accordingly, the government also consented to a two-week period from Mr. von der Goltz's initial appearance on Friday, March 22, for the bond to be posted. *Id.* As a result, the deadline to satisfy the \$650,000 bond is this Friday, April 5.

Since his initial appearance on March 22, Mr. von der Goltz has worked tirelessly to obtain the funds from the U.K. authorities in order to satisfy the bond. We understand from Mr. von der Goltz's U.K. counsel that on Monday, March 25, the Central London Magistrate's Court instructed Liberata UK Limited, the third-party custodian of the £500,000, to return the funds to the JPMorgan New York account from which they were received in December. We further understand that Liberata initiated a wire transfer on Tuesday, April 2, but that JPMorgan did not receive the funds. And we are informed that Liberata will not disclose the wiring instructions it used for this transfer—which information is needed in order to understand where Liberata wired the funds and why JPMorgan did not receive them—without an original, signed letter from the owner of the JPMorgan account. That letter has been sent to Liberata by the fastest available

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means, and we understand it will arrive on Friday, April 5. At that point, we anticipate that the Central London Magistrate's Court will instruct Liberata to disclose the wiring instructions it used and, if the funds already have been returned to Liberata, to attempt a second wire with correct instructions. Unfortunately, it appears unlikely that this process will be completed in time for the funds to be delivered to the Court to satisfy the April 5 deadline.

As a result of this bureaucratic logjam, Mr. von der Goltz respectfully requests a one-week extension of the April 5 deadline to satisfy the \$650,000 cash bond. This is Mr. von der Goltz's first request for an extension of this deadline, and we are hopeful that it will give Liberata and the Central London Magistrate's Court sufficient time to coordinate with JPMorgan to resolve this issue.

We have conferred with counsel for the government, which takes no position, and with the Pretrial Services Office, which has no objection to any extension in meeting the bond conditions.

Respectfully submitted,

/s Daniel Koffmann  
Daniel Koffmann

cc: Officer John Moscato, Pretrial Services Office (via email)  
All counsel of record (via email and ECF)